

Entered - 08/16/01 - sb
CL01L0512 - DIANNE C. MITCHELL

01-*R*-1417

CLAIM OF: NATIONAL REHABILITATION SERVICES,
INC., through its attorney,
John P. Cross
1201 Clairmont Road
Suite 110
Decatur, Georgia 30030-1258

For damages alleged to have been sustained as a result of
nonpayment of worker's compensation invoices.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED
CITY COUNCIL SEP 17 2001

ADVERSE REPORT

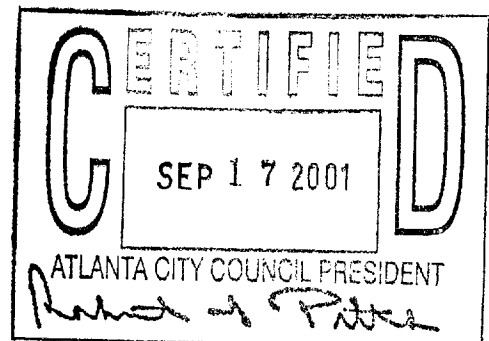
PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: *Public Safety*

CHAIR: *9/17/01 e. f. marlo*

Sherry Dorsey
Wright
Sherry



CERTIFIED
SEP 17 2001
faulk
DEPUTY MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

October 2, 2001

John P. Cross
Attorney at Law
1201 Clairmont Road
Suite 110
Decatur, Georgia 30030-1258

01-R-1417

RE: National Rehabilitation Services, Inc.

Dear Attorney Cross:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on September 17, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **01L0512**

Date: August 29, 2001

Claimant /Victim NATIONAL REHABILITATION SERVICES, INC.
 BY: (Atty) John P. Cross
 Address: 1201 Clairmont Road, Suite 110, Decatur, Georgia 30030-1258
 Subrogation: Claim for Property damage \$ 186,814.39 Bodily Injury \$
 Date of Notice: 08/06/01 Method: Written, proper X Improper
 Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
 Date of Occurrence Not Stated Place: 68 Mitchell Street
 Department Finance Division: Worker's Compensation
 Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that the City has failed to pay invoices submitted for worker's compensation services rendered to City employees. The claimant has filed a lawsuit in the Superior Court of Fulton County to resolve the issues raised in its claim.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
 Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____
 Traffic citations issued: City Driver _____ Claimant Driver _____
 Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ X _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ X _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse ☒ Account charged: 1A01 _____ 2J01 _____ 2H01 _____
 Claims Manager: *[Signature]* Concur/date 08-29-01
 Committee Action: _____ Council Action _____

RCS# 3123
9/17/01
6:39 PM

Atlanta City Council

Regular Session

MULTIPLE
01-R-1417

Unfavorable Claims; Items 20-59

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	E Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE